

PC10504US



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26 OCT 2005

#4

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No: 10/524,389  
Applicant: Martin Baechle et al.  
Filed: December 12, 2003 (International filing Date)  
Title: METHOD FOR BLEEDING AND REFILLING AN ELECTROHYDRAULIC BRAKE SYSTEM  
TC/A.U.: To Be Assigned  
Examiner: Not Yet Known

**RESPONSE TO NOTICE TO FILE**  
**MISSING REQUIREMENTS OF NON-PROVISIONAL APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Notice dated August 23, 2005, enclosed is the Declaration/Power of Attorney and Corrected Replacement Drawings in compliance with 37 C.F.R. § 1.63. Also enclosed are a copy of the Notice and PTO-2038 giving access to a credit card account for payment in the amount of \$260.00 to cover the required surcharge fee of \$130 and an additional \$130 for the English translation surcharge.

Respectfully submitted,

Robert P. Seitter, Reg. No., 24,856  
Christopher A. Rothe, Reg. No., 54,650  
Attorneys for Applicants

CAR/ks

Enclosures: Executed Declaration/Power of Attorney  
Replacement Drawing (6 Sheets)  
Copy of Notice  
Transmittal Form  
PTO-2038

Dated: October 24, 2005  
P.O. Box 980  
Valley Forge, PA 19482-0980

(610) 407-0700The Assistant Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: **October 24, 2005**

Kathleen Spina

11/01/2005 GFREY1 00000045 10524389

01 FC:1617  
02 FC:1618

130.00 OP  
130.00 OP

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PTO/SB/21 (09-04) (AW 10/2004)

Approved for use through 7/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 14

Application Number	10/524,389
International Filing Date	December 12, 2003
First Named Inventor	Martin Baechle
Art Unit	To Be Assigned
Examiner Name	Not Yet Known
Attorney Docket No.	PC10504US

## ENCLOSURES (Check all that apply)

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/Declaration(s)<br><br><input type="checkbox"/> Extension of Time Request<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input checked="" type="checkbox"/> Response to Missing Requirements/<br>Incomplete Application<br><input type="checkbox"/> Response to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input checked="" type="checkbox"/> Drawings (Replacement 6<br>Sheets)<br><br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><br><input type="checkbox"/> Power of Attorney, Revocation,<br>Change of Correspondence<br>Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication<br>to TC<br><br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply<br>Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><br><input checked="" type="checkbox"/> Other Enclosure(s) (please<br>identify below): PTO-2038,<br>Copy of Missing Requirement<br>Notice, Executed DEC/POA,<br>Return Postcard. |
|--|---|--|

Remarks:

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm Name	RatnerPrestia		
Signature			
Printed Name	Christopher A. Rothe		
Date	October 24, 2005	Registration No.	54,650

## CERTIFICATE OF TRANSMISSION / MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or Printed Name	Kathleen Spina	Date	October 24, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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26 OCT 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

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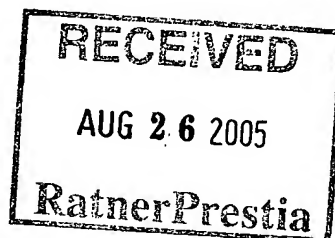
U.S. APPLICATION NUMBER NO. 10/524,389	FIRST NAMED APPLICANT Martin Baechle	ATTY. DOCKET NO. PC10504US
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INTERNATIONAL APPLICATION NO.
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PCT/EP03/08934

IA. FILING DATE 08/12/2003	PRIORITY DATE 08/14/2002
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23122  
 RATNERPRESTIA  
 P O BOX 980  
 VALLEY FORGE, PA 19482-0980



CONFIRMATION NO. 6048  
 371 FORMALITIES LETTER  
 \*OC000000016834050\*  
 \*OC000000016834050\*

Date Mailed: 08/23/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/14/2005
- English Translation of the IA filed on 02/14/2005
- Copy of the International Search Report filed on 02/14/2005
- Preliminary Amendments filed on 02/14/2005
- Information Disclosure Statements filed on 02/14/2005
- Oath or Declaration filed on 02/14/2005
- Request for Immediate Examination filed on 02/14/2005
- U.S. Basic National Fees filed on 02/14/2005
- Substitute Specification filed on 02/14/2005
- Priority Documents filed on 02/14/2005

Missing Rea Due (2mo) 10-23-05

D

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. The current translation of the application into English is defective as described below. Note a processing fee will be required if submitted later than 30 months from the priority date.
  - The text in the drawings has not been properly translated.
- Processing fee for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application

by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:

- is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$260** for a Large Entity:

- **\$130** Surcharge.
- **\$130** for English translation surcharge required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/524,389	PCT/EP03/08934	PC10504US